



Atty Dkt. No.: PALX-002-CON  
USSN: 09/828,539

Receipt #6

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan M. Alessi</i>	Date	08/24/2001
<b>REQUEST FOR CORRECTED FILING RECEIPT</b>  Address to: Commissioner for Patents Washington, D.C. 20231		Attorney Docket	PALX-002-CON
		First Named Inventor	Howard PREISSMAN
		Application Number	09/828,539
		Filing Date	April 5, 2001
		Group Art Unit	3738
		Examiner Name	To Be Assigned
		Title	ENHANCED VISIBILITY MATERIALS FOR IMPLANTATION IN HARD TISSUE

RECEIVED

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

RECEIVED  
JAN 10 2002  
TC 3700 MAIL ROOM

- (1) The filing date is incorrect. It should be April 5, 2001.

A copy of the marked-up Filing Receipt is attached. Also attached to support this request is:

- (1) Copy of the receipt of mailing bearing Express mail no.

EM056842727US date stamped April 5, 2001, by the U.S. Postal Service.

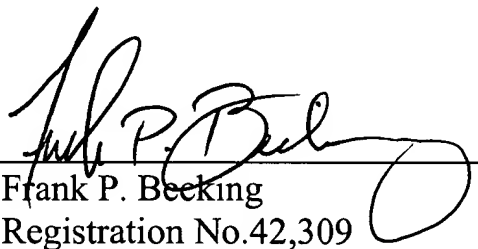
RECEIVED  
JAN 10 2002  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

(2) Copy of the utility transmittal with a signed certificate of mailing  
declaration by Tamara Venegas dated April 5, 2001 for express mail no.  
EM056842727US.


In the unlikely event that the transmittal letter is separated from this request and the  
Patent Office determines that a fee is required, applicant petitions for any required relief  
including extensions of time and authorizes the Assistant Commissioner to charge the  
cost of such petitions and/or other fees due in connection with the filing of this document  
to Deposit Account No. 50-0815.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 8/24/01

By:   
Frank P. Becking  
Registration No. 42,309

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

Please type a plus sign (+) inside this box → proved for use through 10/31/02. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 361722000201

First Inventor Howard PREISSMAN

Title ENHANCED VISIBILITY MATERIALS FOR IMPLANTATION IN HARD TISSUE

Express Mail Label No. EM056842727US

RECEIVED

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

DEC 26 2001

Express Mail Label No.: EM056842727US

Date of Deposit: April 5, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Technology Center 2100" under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Venegas

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 16]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☒ Application Data Sheet. See 37 CFR 1.76 - 2 pages

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identify of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement  
(where there is an assignee) ☐ Power of Attorney
11. ☐ English Translation document (if applicable)
12. ☐ Information Disclosure Statement  
(IDS)/PTO-1449
13. ☒ Preliminary Amendment - 2 pages
14. ☒ Return Receipt Postcard (MPEP 503)  
Should be specifically itemized
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 112(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No: 09/420,093 filed October 18, 1999

Prior application information:

Examiner C. Koh

Group / Art Unit: 3738

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

25226

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

Name	Frank P. Becking, Morrison & Foerster LLP				
Address	755 Page Mill Road				
City	Palo Alto	State	California	Zip Code	94304
Country	U.S.A.	Telephone	(650) 813-5777	Fax	(650) 494-0792
Name (Print Type)	Frank P. Becking		Registration No. (Attorney/Agent)		42,309
Signature			Date		April 5, 2001

RECEIVED

JAN 10 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

3738

TC 3700 MAIL ROOM

JAN -9 2002

RECEIVED

DEC 26 2001

RECEIVED

Technology Center 2100

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09828539	04/04/01	Howard Preissman	36172200020

Frank P. Becking  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, CA 94304

Date Mailed: 11/28/01

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

In response to your request for a corrected Filing Receipt, the Office can not comply with your request because:

- ☒ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☐ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☐ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

TC 3700 MAIL ROOM

JAN -9 2002

RECEIVED

RECEIVED

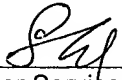
JAN 10 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

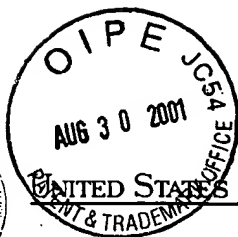
A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, should be directed to:

Box DAC  
Commissioner for Patents  
Washington, DC 20231

---

  
Customer Service Center  
Initial Patent Examination Division  
(703) 308-1202

RECEIVED  
JAN 10 2002  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/828,539	04/04/2001 04/05/2001	3738	355	361722000201	2	9	2

**RECEIVED**

MAY 07 2001

CONFIRMATION NO. 9912

FILING RECEIPT



\*OC000000006025998\*

Frank P. Becking  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, CA 94304

Morrison & Foerster, LLP  
Palo Alto

Date Mailed: 05/01/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**RECEIVED****Applicant(s)**

Howard Preissman, San Jose, CA;

DEC 26 2001

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CON OF 09/420,093 10/18/1999 PAT 6,231,615  
WHICH IS A DIV OF 08/950,256 10/14/1997

RECEIVED  
JAN -9 2002  
TECHNOLOGY CENTER 2100  
MAIL ROOM

**Foreign Applications**

If Required, Foreign Filing License Granted 04/30/2001

Projected Publication Date: 08/09/2001

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**

Enhanced visibility materials for implantation in hard tissue

**RECEIVED**

JAN 10 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

rel

RECEIVED  
JAN - 9 2002  
TC 3700 MAIL ROOM

POST OFFICE  
TO ADDRESSEE

**EXPRESS MAIL**  
UNITED STATES POSTAL SERVICE

EM056842727US

**EMS**



\* E M 0 5 6 8 4 2 7 2 7 U S \*

**ORIGIN (POSTAL USE ONLY)**

INTERNATIONAL  
SHIPMENTS ONLY

- ☐ Business Papers  
☐ Merchandise

Customs forms and commercial  
invoices may be required.  
See Pub. 273 and  
International Mail Manual.

No Delivery ☐

**CUSTOMER USE ONLY**

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or  
Postal Service Acct. No.

☐ WAIVER OF SIGNATURE (Domestic Only): I wish delivery to be made without obtaining the signature of the addressee or the addressee's agent (if in the judgment of the delivery employee, the article can be left in a secure location) and I authorize the delivery employee to sign that the shipment was delivered and understand that the signature of the delivery employee will constitute valid proof of delivery.

**NO DELIVERY**

☐ WEEKEND ☐ HOLIDAY

Customer Signature

FROM:

MORRISON & FORSTER LLP  
750 PAGE MILL RD  
PALO ALTO

CA 94304-1010

56 361722000201 5632

TO:

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

SEE REVERSE SIDE FOR THE  
SERVICE GUARANTEE AND LIMITS  
ON THE INSURANCE COVERAGE

CUSTOMER COPY

FOR PICKUP OR TRACKING CALL 1-800-222-1811

LABEL 11-F 5/93

RECEIVED  
DEC 26 2001  
Technology Center 2100

RECEIVED  
JAN 10 2002  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS